



TRANSMITTAL LETTER
(General - Patent Pending)

Docket No.
97-564-C1

2162

In Re Application Of: Andrew S. VAN LUCHENE

Serial No.
09/777,297

Filing Date
February 6, 2001

Examiner
Not Yet Assigned

Group Art Unit
2162

Title: METHOD AND APPARATUS FOR CONTROLLING OFFERS THAT ARE PROVIDED AT A
POINT-OF-SALE TERMINAL

RECEIVED

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

MAR 28 2002

Technology Center 2100

Transmitted herewith is:

Supplemental Information Disclosure Statement (5 pp.);
PTO Form-1449 (8 pp.) and references cited therein (84);
Assertion of Small Entity Status (1 pg.); and
Return Receipt Postcard.

in the above identified application.

- No additional fee is required.
- A check in the amount of _____ is attached.
- The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. 50-0271 as described below. A duplicate copy of this sheet is enclosed.
- Charge the amount of _____
- Credit any overpayment.
- Charge any additional fee required.

Signature

Dated: March 22, 2002

Dean P. Alderucci
Attorney for Applicants
PTO Registration No. 40,484
(203) 461-7337/phone
(203) 461-7300/fax

Customer No. 22927

CC:

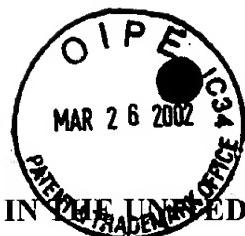
I certify that this document and fee is being deposited on March 22, 2002 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

Signature of Person Mailing Correspondence

Michael D. Brinton

Typed or Printed Name of Person Mailing Correspondence

PATENT



#9 02-0484CW

Serial No.: 09/777,297
Attorney Docket No.: 97-564-C1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Andrew S. VAN LUCHENE) Examiner: Not Yet Assigned

Serial No.: 09/777,297) Group Art Unit: 2162

Filing Date: February 6, 2001) Attorney Docket No: 97-564-C1

For: METHOD AND APPARATUS FOR
CONTROLLING OFFERS THAT ARE
PROVIDED AT A POINT-OF-SALE
TERMINAL



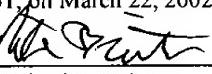
RECEIVED

MAR 29 2002

Technology Center 2100

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as priority mail in an envelope with sufficient postage and addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on March 22, 2002.

Dated: 03/22/02 By: 
Michael D. Brinton

Assistant Commissioner for Patents
Washington, D.C. 20231

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Applicants submit herewith patents, publications or other information of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a thorough search has been made, an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists. Nor shall the filing of this information disclosure statement be construed as an admission against interest in any manner.

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97 and 1.98. The items listed on the accompanying Form PTO-1449 may be deemed to be pertinent to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items listed on the enclosed copy of Form PTO-1449 and to independently ascertain their teaching.

1. [] Applicants respectfully direct the Examiner's attention to the pending U.S. patent applications listed on the enclosed Form PTO-1449. The Examiner is respectfully requested to fully consider and independently ascertain the teachings and relevance of those applications with respect to the instant application. Applicants would be pleased to provide the Examiner with a copy of these applications upon request.
2. [] For each of the items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a European Search Report from a counterpart European application is enclosed. Such items are marked as reference letter(s): _____
_____.
3. [] For each of the items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application. Such items are marked as reference letter(s): _____.
4. [X] No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:
 - [] 37 C.F.R. §1.97(b)(1), within three months of the filing date of the above-identified application.
 - [] 37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491.

[X] 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office Action on the merits.

5. [] No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. 1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below.
6. [] A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c) after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action). The fee due under 37 C.F.R. §1.17(p) is to be paid as set forth in paragraph 10 below.
7. [] A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in accordance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a Notice of Allowance, but before the payment of the issue fee, and is accompanied by:
- a. one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below; and
 - b. this document is to be considered as a petition requesting consideration of the information disclosure statement.
 - c. the fee due under 37 C.F.R. §1.17(i)(1) which is paid as set forth in paragraph 10 below.

8. [] A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with:

- [] 37 C.F.R. §1.313(b)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition to Withdraw Application from Issue;
- [] 37 C.F.R. §1.313(b)(5), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition to Withdraw Application from Issue.

9. [] I hereby certify:

- [] that each item of information contained in the items listed on the enclosed copy of Form PTO-1449 was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. A copy of such communication is enclosed.
- [] that no item of information contained or listed on the enclosed copy of Form PTO-1449 was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

10. [] Please accept payment of the fees due as indicated below:

- [] A check in the amount of \$180.00 is enclosed in payment of the fee due under 37 C.F.R. 1.17(p).

[] The Commissioner is hereby authorized to charge \$180.00 to Deposit Account No. 50-0271 in payment of the fee due under 37 C.F.R. §1.17(p).

[] A check in the amount of \$180.00 is enclosed in payment of the fee due under 37 C.F.R. §1.17(i)(1).

[] The Commissioner is authorized to charge \$130.00 to Deposit Account No. 50-0271 in payment of the fee due under 37 C.F.R. §1.17(i)(1).

11. [X] The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 50-0271. A copy of this authorization is attached.

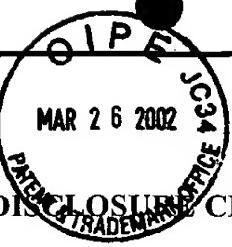
12. [] No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed concurrently with a Request for Continued Examination.

Respectfully submitted,

March 22, 2002
Date



Michael D. Downs
Attorney for Applicants
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(203) 461-7300 /fax



Docket Number

97-564-C1

Serial Number

09/777,297

RECEIVED**INFORMATION DISCLOSURE CITATION**

Applicants

Andrew S. VAN LUCHENE

MAR 29 2002

Technology Center 2100

Filing Date

February 6, 2000

Group Art Unit

2162

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE IF APPROPRIATE
	A	5,717,866	02/10/98	Naftzger	395	214	
	B	5,822,735	10/13/98	De Lapa et al.	705	14	
	C	6,055,513	04/25/00	Katz et al.	705	26	
	D	6,064,987	05/16/00	Walker et al.	705	38	
	E	6,085,164	07/04/00	Smith et al.	705	5	
	F	6,088,682	07/11/00	Burke	705	17	
	G	6,112,191	08/29/00	Burke	705	41	
	H	6,119,099	09/12/00	Walker et al.	705	16	
	I	US 6,223,163 B1	04/24/01	Van Luchene	705	1	

FOREIGN PATENT DOCUMENTS

REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	Translation	
						Yes	No
J	EP 0 780 788 A2	06/25/97	Europe				

OTHER DOCUMENTS (Including author, Title, Date, Pertinent Pages, Etc.)

K	Goodstein, Ronald C., "UPC scanner pricing systems: Are they accurate?", Journal of Marketing, April 1994, Vol. 58, No. 2, pp. 20-30, ISSN: 0022-2429.
L	Stankevich and Garbato, Debby, "Cook's Warehouse sets heavy-gauge nonstick.", HFN The Weekly Newspaper for the Home Furnishing Network, August 14, 1995, Vol. 69, No. 33, pg. 46.
M	Rodwin, Marc A., "Consumer protection and managed care: The need for organized consumers", Health Affairs, Fall 1996, Vol. 15, No. 3, pp. 110-123, ISSN: 0278-2715.
N	Kennedy, Doug, "Train front desk staff in sales; hotel industry", Hotel and Motel Management, March 3, 1997, No. 4, Vol. 212, pg. 15, ISSN: 0018-6082.

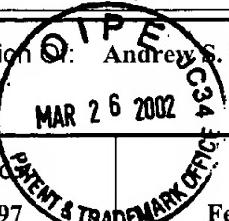
EXAMINER**DATE CONSIDERED:**

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

H4
P300
2162

TRANSMITTAL LETTER (General - Patent Pending)		Docket No. 97-564-C1
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In Re Application No. Andrew S. VAN LUCHENE



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Examiner

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Signature

Dated: March 22, 2002

Michael D. Downs
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Customer No. 22927

cc: Mdowns@walkerdigital.com

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Signature of Person Mailing Correspondence

Michael D. Brinton

Typed or Printed Name of Person Mailing Correspondence

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



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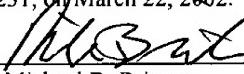
) Examiner: Not Yet Assigned
)
) Group Art Unit: 2162
)
) Attorney Docket No: 97-564-C1
)
) Customer No.: 22927
)
)
)



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CERTIFICATE OF MAILING

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Dated: 03/22/02 By: 
Michael D. Brinton

Assistant Commissioner for Patents
Washington, D.C. 20231

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10. [] Please accept payment of the fees due as indicated below:

- [] A check in the amount of \$180.00 is enclosed in payment of the fee due under 37 C.F.R. 1.17(p).

[] The Commissioner is hereby authorized to charge \$180.00 to Deposit Account No. 50-0271 in payment of the fee due under 37 C.F.R. §1.17(p).

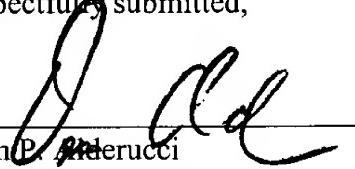
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Respectfully submitted,



Dean P. Alderucci
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(203) 461-7337/phone
(203) 461-7300 /fax

March 22, 2002

Date

INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

ATTY DOCKET NO.
97-564-C1SERIAL NO.
09/777,297

Andrew S. VAN LUCHENE

FILING

GROUP

February 6, 2001

2162

MAR 26 2002

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	TRADEMARK NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
A	3,573,747	04/06/71	Adams et al.			
B	4,108,361	08/22/78	Krause			
C	4,323,770	04/06/82	Dieulot et al.			
D	4,494,197	01/15/85	Troy et al.			
E	4,500,880	02/19/85	Gomersall et al.			
F	4,669,730	06/02/87	Small			
G	4,677,553	06/30/87	Roberts et al.			
H	4,689,742	08/25/87	Troy et al.			
I	4,760,247	07/26/88	Keane et al.			
J	4,815,741	03/28/89	Small			
K	4,825,045	04/25/89	Humble			

RECEIVED

MAR 28 2002

Technology Center 2100

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
L	WO 97/46961	12/11/97	PCT				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

M	"CAPE TOWN", Reuters, November 8, 1979, Thursday PM Cycle
N	"SAVE THE MARK", Financial Times (London), February 1, 1983, Section I: Men & Matters at Pg. 12.

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)				ATTY DOCKET NO. 97-564-C1	SERIAL NO. 09/777,297	
				ANDREW S. VAN LUCHENE		
				FILING February 6, 2001	GROUP 2162	
U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
O	4,839,507	06/13/89	May			
P	4,854,590	08/08/89	Jolliff et al.			
Q	4,859,838	08/22/89	Okiharu			
R	4,882,473	11/21/89	Bergeron et al.			
S	4,910,672	03/20/90	Off et al.			
T	4,922,522	05/01/90	Scanlon			
U	4,937,853	06/26/90	Brule et al.			
V	4,982,337	01/01/91	Burr et al.			
W	4,993,714	02/19/91	Golightly			
X	5,056,019	10/08/91	Schultz et al.			
Y	5,119,295	06/02/92	Kapur			
FOREIGN PATENT DOCUMENTS						
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
						YES
						NO
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)						
	Z	Greene, Jan, "Farm bills please assns; National Grocers Association", Supermarket News, December 23, 1985, Vol. 35, Pg. 6.				
	AA	"POS spectrum: a lottery looks to POS for growth", POS News, January 1989, Vol. 5, No. 7, Pg. 8.				
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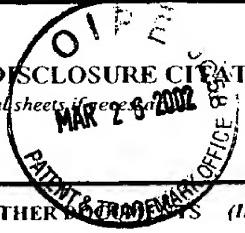
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				FILING February 6, 2001	GROUP 2162	
U.S. PATENT DOCUMENTS						
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS
BBB		5,664,115	09/02/97	Fraser		
RECEIVED MAR 28 2002 Technology Center 2100						
FOREIGN PATENT DOCUMENTS						
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS
TRANSLATION YES NO						
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)						
CCC	"Phillips Offers Customers Financing Through Citicorp; Philips Medial Systems North America, Citicorp North America Inc.", Health Industry Today, June 1991, Vol. 54, No. 6, Pg. 4.					
DDD	Pelline, Jeff, "Travelers Bidding on Airline Tickets SF Firm Offers Chance for Cut-rate Fares", The San Francisco Chronicle, August 19, 1991, Pg. A4.					
EXAMINER				DATE CONSIDERED		

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INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)



Docket Number (Optional)

97-564-C1

Application Number

09/777,297

Applicant(s)

ANDREW S. VAN LUCHENE

Filing Date

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Group Art Unit

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EXAMINER INITIAL

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

EEE

Del Rosso, Laura, "Ticket-bidding Firm Closes Its Doors; Marketel International; Brief Article", Travel Weekly, March 12, 1992, Vol. 51, No. 21, Pg. 1, ISSN: 0041-2082.

FFF

"Winn-Dixie/The Salvation Army Report Contribution For War Against Hunger", PR Newswire, June 10, 1993, Financial News Section.

GGG

Jones, Jeanne, "Data Readers Streamline Management; Scanner Technology Aids Retailers As Well As Plants, Wholesalers", The Houston Post, June 26, 1994, Business Section, Pg. D1.

HHH

Fiorini, Philip, ""No Place for Penney?" Smallest Coin Doesn't Make Cents to Some", USA Today, July 29, 1994, Pg. 1A.

III

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